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REMARKS

At the outset, applicant wishes to thank Examiner Bethany L. Griles for the courtesies extended during the personal interview held on October 29, 2002 with the undersigned attorney. The Examiner's careful attention to the application on that occasion is sincerely appreciated.

Claims 26 and 36 were rejected under 35 USC 112, second paragraph, as they allegedly failed to provide sufficient antecedent basis for the term "accommodation" in line 3 of each of these claims.

Reconsideration of the above rejection is respectfully requested for the following reasons.

As was explained during the interview, line 2 of each of these claims recites a number of accommodations, and consequently the expression "each accommodation" has sufficient antecedent basis. During the interview, upon reconsideration, the Examiner kindly indicated that claims 26 and 36 were free of any criticism under 35 USC 112, second paragraph.

Claims 26-30 were rejected under 35 USC 102(b) as being anticipated by WATKINS 5,787,641.

Claims 31, 32 and 38 were rejected under 35 USC 103(a) as being unpatentable over WATKINS. The Official Action states that the patented reference fails to disclose that the walls are of a thickness of less than 2.5 millimeters. Nevertheless, it is concluded that it would have been obvious to one of ordinary

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skill in the art to have made the walls of the boundary of a thickness of 2.5 millimeters as the same would be an obvious matter of choice in design.

Claims 33 and 34 were rejected under 35 USC 103(a) as being unpatentable over WATKINS in view of European reference 195,693. The secondary European reference is relied upon as teaching hexagonal accommodations. It is concluded that it would have been obvious to one of ordinary skill in the art to have designed the accommodations of WATKINS in a hexagonal configuration, as taught by the European reference.

Claims 35-37 were rejected under 35 USC 103(a) as being unpatentable over WATKINS in view of European reference 565,201. This European reference is relied upon as teaching the use of an accommodation for a tulip bulb.

Reconsideration of the above rejections is respectfully requested for the following reasons.

As was explained during the interview, the device described by the WATKINS reference functions to receive a single plant, together with soil. This single plant is received in the upper part of the WATKINS device, with roots extending in the four accommodations 40, which are separated by baffle 42. As was urged during the interview, these baffles 42 are not intended to act as clamping means; rather, they function to provide a separation between the roots, as is clear from Figure 3 of this patented reference. Moreover, lines 26-34 at column 16 of the

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WATKINS reference state that the root barrier plates 42 separate the lower portion of the receiving space into non-communicating compartments 40. A given root growing outwardly from a plant's stem enters into at most one of the compartments 40, and thereby becomes confined within such compartment. Eventually, the roots growing in each compartment will knit the soil together into cohesive units. When removed from the container, these units appear as wedge-shaped root lobes, as is depicted by reference 80 in Figure 3. Although there are four accommodations 40 depicted in the WATKINS device, these accommodations do not function to receive four plants, but only to receive a quarter of the roots.

It follows that these root barrier plates 42 do not have any clamping functions, but merely serve to segregate the roots of the plant. In addition, the WATKINS reference simply fails to disclose or suggest an opening at the bottom being delimited by a cutting edge acting in the direction in which the bulb is removed from the accommodation, as is recited in applicant's independent claims. Indeed, element 28 in the WATKINS device is a protrusion base opening, which serves to permit excess gravitational water to escape into a centered floor drain hole in the base of the associated plant container. Consequently, this protrusion base opening 28 is not a cutting edge acting in the direction in which the bulb is removed from the accommodation, as claimed by applicant.

As is reflected in the Examiner's Interview Summary

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record, in order to advance prosecution of this application, and to further distinguish from the WATKINS reference, the independent claims 26 and 36 have been amended so as to eliminate the means-plus-function clause of "clamping means". Indeed, these amended claims now recite that each of the accommodations which is delimited by periphery boundary walls has a plurality of radially inwardly extending positioning members for clamping the bulb. In addition, each positioning member is recited to have a free edge.

In the WATKINS device, the barrier plates 42 cannot reasonably be construed to constitute radially inwardly extending positioning members for clamping the bulb. Moreover, these barrier plates do not have a free edge.

While the secondary European references may disclose the features for which they were relied upon, they nevertheless fail to remedy the fundamental shortcomings of the basic primary reference to WATKINS, so as to render the herein-claimed subject matter obvious within the meaning of 35 USC 103. Indeed, both European references fail to disclose or suggest a plurality of radially inwardly extending positioning members for clamping the bulb, with each positioning member having a free edge.

During the interview, the Examiner kindly indicated that the changes made hereto to the independent claims would appear to patentably distinguish from the applied references.

In view of the recent interview, the present amendment

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and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance. Reconsideration and allowance are accordingly earnestly solicited.

In the event that there are any questions relating to this amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Attached hereto is a marked-up version of the changes made to the claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

YOUNG & THOMPSON

By Benoit Castel
Benoit Castel
Attorney for Applicant
Registration No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone: (703) 521-2297

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VERSION WITH MARKINGS TO SHOW CHANGES MADEIN THE CLAIMS:

Claim 26 has been amended as follows:

26. (amended) A bulb tray, comprising a plastic body having a number of accommodations for receiving one bulb in each accommodation, each of said accommodations being delimited by peripheral boundary walls and having a plurality of radially inwardly extending positioning members for clamping the bulb, each positioning member having a free edge, wherein, in a use position, each accommodation is provided at the top with an insertion opening for the bulb and is at least partially open at the bottom; the opening at the bottom being delimited by a cutting edge acting in the direction in which the bulb is removed from the accommodation[; and clamping means for clamping the bulb in each accommodation].

Claim 27 has been amended as follows:

27. (amended) The bulb tray according to claim 26, wherein said [clamping means] positioning members comprise plates extending increasingly further into said accommodation from the insertion opening to the bottom of the accommodation.

Claim 29 has been amended as follows:

29. (amended) The bulb tray according to claim 26,

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wherein said [clamping means] positioning members have sharp cutting edges.

Claim 30 has been amended as follows:

30. (amended) The bulb tray according to claim 26, wherein each accommodation comprises at least three [clamping means] positioning members.

Claim 32 has been amended as follows:

32. (amended) The bulb tray according to claim 26, wherein said [clamping means] positioning members comprise strips of material fixed at the top of said accommodations for resiliently clamping the plants.

Claim 34 has been amended as follows:

34. (amended) The bulb tray according to claim 33, wherein said [clamping means] positioning members extend from a corner point of said hexagon.

Claim 35 has been amended as follows:

35. (amended) The bulb tray according to claim 26, wherein [said] each accommodation is designed to take a tulip bulb.

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Claim 36 has been amended as follows:

36. (amended) A cultivation system comprising a bulb tray having a plastic body and a number of accommodations for receiving bulbs, each accommodation being delimited by peripheral boundary walls and having a plurality of radially inwardly extending positioning members for clamping the bulb, each positioning member having a free edge, each accommodation being provided at the top with an insertion opening for the bulb, and being at least partially open at the bottom, the opening at the bottom being delimited by a cutting edge acting in the direction in which the bulb is removed from the accommodation; [clamping means for clamping the bulb in each accommodation;] a container which takes said bulb tray; and a free space delimited between the bottom of the tray and the base of the container.